UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

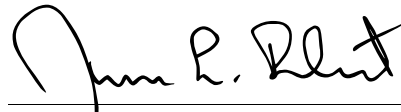|	

UNITED STATES OF AMERICA,
 	
                    Plaintiff,
 	
        v.
 	
JOHN MICHAEL SHERWOOD,
 	
                    Defendant.
	CASE NO. CR22-0127JLR
	
	ORDER

Before the court is Defendant John Michael Sherwood's *pro se ex parte* Motion to Terminate Counsel and Declaration in Support Thereof. (2/7/24 Mot. (Dkt. # 68 (sealed)).) Mr. Sherwood is currently represented by counsel. (*See generally* Dkt.) As such, Mr. Sherwood may not file a *pro se* motion unless he complies with the requirements of Local Criminal Rule 62.2(b)(5). *See* Local Rules W.D. Wash. LCrR 62.2(b)(5) (requiring a represented party that seeks to appear or act *pro se* to "request[] by motion to proceed on his or her own behalf, certif[y] in the motion that he or she has provided copies of the motion to his or her current counsel and to the opposing party, and

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1 [receive from the court] an order of substitution by the court terminating the party's

2 attorney"); *see also United States v. Halbert*, 640 F.2d 1000, 1009 (9th Cir. 1981) ("A

3 criminal defendant does not have an absolute right to both self-representation and the

4 assistance of counsel. Whether to allow hybrid representation remains within the sound

5 discretion of the trial judge." (internal citations omitted)); *United States v. Durden*, 673 F.

6 Supp. 308, 309 (N.D. Ind. 1987) (exercising discretion to decline to consider a

7 represented criminal defendant's *pro se* motion). The court notes that Mr. Sherwood's

8 counsel has already filed a motion seeking the relief that Mr. Sherwood requests in the

9 instant motion and discussing the appointment of standby counsel, which is scheduled for

10 a hearing on February 14, 2024. (*See* 1/30/24 Mot. (Dkt. # 65); Not. (Dkt. # 66).)

11   Because Mr. Sherwood improperly filed his motion *pro se*, the court STRIKES the

12 motion to terminate counsel (Dkt. # 68) from the docket.

13   Dated this 12th day of February, 2024.

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15   JAMES L. ROBART
                            United States District Judge

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